

REMARKS

Applicant has amended claims 4 and 8 to clarify certain features of those claims. Applicant has amended claims 11 and 27 to overcome the rejections discussed below and has amended claims 14-16 and 20 to clarify terms in those claims. No new matter has been added.

In Response to Applicant's Arguments/Amendment the examiner stated that:
"Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of new grounds of rejection."

Applicant believes that the correct statement should be that Applicant's previous reply overcame the prior art rejections, since the examiner has not furnished any new rejections based on the prior art and has indicated at least some claims are allowable over the art of record.

Claim Rejections - 35 U.S.C. § 101

The examiner rejected Claims 27-33 under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter, particularly, an abstract idea.

Claim 27 has been amended to call for: "A computer system including a display that displays a quotation screen disseminating quotes in an electronic market."

As amended, claim 27 is directed to statutory subject matter since the claim is directed to a computer system including a display. The computer system and display are tangible, concrete non-abstract elements. The quotation screen imparts functionality when employed as part of the claimed computer component, since it is not merely "music, literary works, and a compilation or mere arrangement of data," but rather a functional interface to the computer system.

The quotation screen, which the examiner may regard as a mere arrangement or compilation of facts or data, produces a new functional interrelationship as part of the computing processes performed by the computer. Thus, the elements of the quotation screen are entitled to patentable weight and are directed to statutory subject matter.

Therefore, claims 27-33, as amended, are statutory because they are directed to a computer system that displays a novel quotation screen.

Claim Rejections ~ 35 U.S.C. §112

The examiner rejected Claims 11-18 under 35 U.S.C. 112, first paragraph, because the claims recited "Single means."

The examiner stated:

See *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.). When claims depend on a recited property, a fact situation comparable to *Hyatt* is possible, where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor. In this case, the claims recite "a computer executing process", "a computer" is considered as a single means.

Applicant disagrees that claim 11 recited a "single means." As that legal principle is used by the Fed. Cir. it is intended to cover claims written in mean plus function language pursuant to 35 U.S.C. 112, sixth paragraph. That situation does not exist here.

Nonetheless, in order to advance prosecution, claim 11 has been amended to call for a quotation system ..., the system comprising: a computer ... comprising a processor and a computer readable medium storing a computer program product

As amended, claim 11 and thus claims 12-17 are not drawing to a "single means," as used by the examiner and are therefore enabled under 35 U.S.C. 112, first paragraph.

The examiner indicated that Claims 1-10 and 19-26 were allowable over the prior art cited of record.

Claim 11 has analogous limitations as claim 1, and claim 27 has the limitations of a quote region that displays quotes of market makers ... by using unique market maker identification symbols, and that displays agency quotes ... being represented as separate quotes from the quotes of the market makers.

In view of the lack of prior art rejections of claims 11-18 and 27-33, and in view of the above remarks and amendments to the claims it is contended that all of the claims are now allowable.

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Page : 11 of 11

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Respectfully submitted,

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